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 Capital One Bank

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO

EMELIA M. PASTERNAK,

Plaintiff,

vs.

TRANS UNION, LLC, EXPERIAN  
 INFORMATION SOLUTIONS, INC., EQUIFAX  
 INFORMATION SERVICES, LLC, and  
 CAPITAL ONE BANK, a national association,

Defendants.

No.: C 07 4980 MJJ

**STIPULATION TO EXTEND TIME FOR  
 DEFENDANT CAPITAL ONE BANK TO  
 FILE RESPONSIVE PLEADING TO THE  
 COMPLAINT**

Compl. Filed: September 26, 2007

Honorable Martin J. Jenkins

This Stipulation is made by and between Plaintiff Emelia M. Pasternak (“Plaintiff”) and  
 Defendant Capital One Bank (“Defendant”) in light of the following facts:

RECITALS

WHEREAS, on or about September 26, 2007, Plaintiff filed this action against Defendant;  
 WHEREAS, on October 4, 2007, Plaintiff served process on Defendant;  
 WHEREAS, Defendant’s response is due on or before October 24, 2007;  
 WHEREAS, Defendant and Plaintiff stipulate to an extension of time for Defendant to  
 respond to the Complaint such that Defendant’s response will be due on or before November 12,  
 2007;

1 WHEREAS, the parties agree that the extension is warranted because Defendant recently  
2 retained counsel in this matter, and Defendant is still reviewing and analyzing the Complaint and is  
3 conducting internal preliminary fact investigation in order to determine the appropriate response  
4 thereto;

5 WHEREAS, the parties further agree that the requested extension is not for purposes of  
6 delay, but so that the due process of the parties is protected and so that justice may be done;

7 WHEREAS, the parties agree that this Stipulation may be executed in counterparts, and that  
8 facsimile signatures shall be deemed acceptable signatures for the purposes of this Stipulation.

9  
10 STIPULATION

11 It is hereby stipulated by the parties that:

12 Defendant shall have up to and including November 12, 2007 in which to file its response to  
13 Plaintiff Emelia Pasternak's Complaint.

14  
15 DATED: October 30, 2007.

16 KEMNITZER, ANDERSON, BARRON, OGILVIE &  
17 BREWER LLP

18 By Andrew J. Ogilvie  
19 Andrew J. Ogilvie  
20 Attorney for Plaintiff  
Emelia M. Pasternak

21 DATED: October 30, 2007.

22 REED SMITH LLP

23  
24 By Abraham J. Colman  
25 Abraham J. Colman  
26 Veronica Kuitumdjian  
27 Attorneys for Defendant  
28 Capital One Bank

**PROOF OF SERVICE**

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. I am employed in the office of a member of the bar of this court at whose direction the service was made. My business address is REED SMITH LLP, 355 South Grand Avenue, Suite 2900, Los Angeles, CA 90071. On October 30, 2007, I served the following document(s) by the method indicated below:

**STIPULATION TO EXTEND TIME FOR DEFENDANT CAPITAL ONE BANK TO  
FILE RESPONSIVE PLEADING TO THE COMPLAINT**

- ☒ On the recipients designated on the Transaction Receipt located on the CM/ECF website.
- ☒ FEDERAL: I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

SEE ATTACHED LIST

I declare under penalty of perjury under the laws of the United States that the above is true and correct. Executed on October 30, 2007, at Los Angeles, California.

  
Davina M. Bernal

**SERVICE LIST**

***Pasternak v. Trans Union, et al.***  
 LASC, Case No. C 07 4980 MJJ

<b>Donald E. Bradley</b> Musick Peeler & Garrett LLP 650 Town Center Drive Suite 1200 Costa Mesa, CA 92626 714-668-2400 714-668-2490 (fax) d.bradley@mpglaw.com <i>Assigned: 10/19/2007</i> <b>LEAD ATTORNEY</b> <b>ATTORNEY TO BE NOTICED</b>	<b>Trans Union LLC</b> <i>(Defendant)</i>
<b>Andrew Jones Ogilvie</b> Kemnitzer Anderson Barron Ogilvie & Brewer, LLP 445 Bush Street, Sixth Floor San Francisco, CA 94108 (415) 861-2265 (415) 861-3151 (fax) ajogil@kabolaw.com <i>Assigned: 09/26/2007</i> <b>LEAD ATTORNEY</b> <b>ATTORNEY TO BE NOTICED</b>	<b>Emelia M. Pasternak</b> <i>(Petitioner)</i>
<b>Thomas P. Quinn</b> Nokes & Quinn 450 Ocean Avenue Laguna Beach, CA 92651 949-376-3055 949-376-3070 (fax) yhoman@nokesquinn.com <i>Assigned: 10/18/2007</i> <b>LEAD ATTORNEY</b> <b>ATTORNEY TO BE NOTICED</b>	<b>Equifax Information Services LLC</b> <i>(Defendant)</i>
<b>David L. Wallach</b> Jones Day 26th Floor San Francisco, CA 94104 415-875-5827 415-875-5700 (fax) dwallach@jonesday.com <i>Assigned: 10/23/2007</i> <b>ATTORNEY TO BE NOTICED</b>	<b>Experian Information Solutions Inc</b> <i>(Defendant)</i>

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